

Message Text

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ACTION L-03

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AMEMBASSY LONDON
AMEMBASSY PARIS
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C O N F I D E N T I A L MOSCOW 20117

E.O. 11652: GDS
TAGS: ICJ, UNSC, UR
SUBJECT: SOVIET OFFICIAL ON ICJ NOMINATION; COMPOSITION
OF ICJ AND SECURITY COUNCIL

REF: STATE 204893

SUMMARY: DURING AUG. 22 CALL REGARDING PROFESSOR
BAXTER'S ICJ CANDIDATURE, SOVIET MFA OFFICIAL INFORMED
THAT SOVIETS WILL NOMINATE P. D. MAROSOV FOR SECOND
ICJ TERM. HE ALSO PROBED ABOUT U.S. FEELING ABOUT
GEOGRAPHIC REPRESENTATION ON ICJ AND CLAIMED THAT
"SOME" ASIAN COUNTRIES FEEL UNDERREPRESENTED COMPARED
TO THE "WEST." HE HELD THAT MOSCOW IS SATISFIED
WITH PRESENT ICJ ELECTION PROCEDURE, AND WITH
PRESENT ARRANGEMENTS FOR DETERMINING SECURITY
COUNCIL MEMBERSHIP. END SUMMARY.

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1. EMBASSY OFFICER MET WITH SOVIET MFA'S CHIEF
UN SECTION TREATY AND LEGAL DEPT., B. G. MAYORSKIY,
ON AUG. 22 TO HAND OVER PROFESSOR BAXTER'S
CURRICULUM VITAE AND MAKE POINTS CONTAINED IN PARA 9
REFTEL.

2. MAYORSKIY SAID THAT HE WOULD INFORM HIS GOVERN-

MENT OF U.S. HOPE THAT THE SOVIET UNION WILL SUPPORT PROFESSOR BAXTER'S ELECTION. HE ADDED WITH A SMILE THAT HE WOULD ALSO INFORM THE USSR'S "NATIONAL GROUP" OF THE U.S. REQUEST THAT IT CONSIDER NOMINATING HIM.

3. MAYORSKIY THEN BROUGHT UP PROCEDURE FOR SELECTING ICJ JUDGES, STATING THAT, ALTHOUGH THE SOVIET UNION SUPPORTS THE PRESENT ARRANGEMENT, SOME PARTIES BELIEVE THAT THE WEST IS OVERREPRESENTED WITH FIVE OUT OF FIFTEEN SEATS ON THE COURT. HE CONTINUED THAT "SOME" ASIAN COUNTRIES FEEL THAT THEY ARE UNDERREPRESENTED. MAYORSKIY WONDERED IF THE U.S. IS CONSIDERING CHANGING THE PRESENT SYSTEM FOR ALLOCATING SEATS. EMBASSY OFFICER RESPONDED THAT HE WAS UNAWARE OF ANY USG THINKING ON THIS MATTER. MAYORSKIY NOTED THAT THREE OUT OF THE FIVE PERMANENT SECURITY COUNCIL MEMBERS ARE "WESTERN" AND REPEATED THAT THE SOVIET UNION VIEWS THE PRESENT SYSTEM AS EFFECTIVE AND DOES NOT DESIRE TO CHANGE IT. HE DIGRESSED THAT MODIFICATIONS OF THE MEMBERSHIP OF THE LEAGUE OF NATIONS COUNCIL HAD OPENED UP A PANDORA'S BOX OF PROBLEMS AND LESSENED THE LEAGUE'S EFFECTIVENESS IN MEETING "GERMAN AGGRESSION." THE SOVIET UNION SUPPORTS MAINTAINING THE PRESENT SYSTEM FOR SELECTION OF SECURITY COUNCIL MEMBERSHIP, HE SAID. IF CHANGES WERE MADE TO ALLOW - FOR EXAMPLE - JAPANESE PERMANENT

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MEMBERSHIP, THEN OTHER COUNTRIES LIKE BRAZIL, INDIA OR NIGERIA WOULD ATTEMPT TO GET PERMANENT MEMBERSHIP STATUS. THIS COULD DAMAGE THE UN'S EFFECTIVENESS.

4. COMMENT: MAYORSKIY MENTIONED DURING CONVERSATION THAT SRI LANKA CHARGE HAD CALLED ON HIM EARLIER TO REQUEST SUPPORT FOR H. W. JAYEWARDENE'S CANDIDATURE. IT IS POSSIBLE THAT MAYORSKIY'S REFERENCE TO "SOME" ASIAN COUNTRIES FEELING UNDERREPRESENTED ON THE ICJ MAY HAVE BEEN BASED ON SRI LANKAN CHARGE'S COMMENTS DURING THAT MEETING. TOON

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